



U.S. Immigration
and Customs
Enforcement

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News Release

ILLEGAL ALIENS SEEKING REFINERY EMPLOYMENT INDICTED BY FEDERAL GRAND JURY

NEW ORLEANS-- Special Agent-in-Charge Michael A. Holt of U.S. Immigration and Customs Enforcement (ICE) in New Orleans and Jim Letten, U.S. Attorney for the Eastern District of Louisiana, jointly announced today that a federal grand jury has returned two indictments against two illegal aliens as part of an ongoing U.S. Immigration and Customs Enforcement (ICE) criminal investigation of subcontractors operating in the petroleum industry.

The indictment charges Rafael Herrera-Maciell, a citizen of Mexico, one count of Reentry of a Deported Alien Previously Convicted of a Felony, which is a violation of Title 8, United States Code, Section 1326, (b)(1). Herrera-Maciell faces a maximum penalty of 10 years imprisonment, as well as a fine of up to \$250,000 and three years of supervised release.

The indictment charges that Herrera-Maciell is an illegal alien who had been previously removed from the United States, pursuant to a felony conviction for possession of cocaine, and thereafter was knowingly and unlawfully found in the United States without having obtained permission to reenter from any government official of the United States.

The federal grand jury also indicted Mexico citizen Alfonso Avilez-Perez, charging him with one count of Reentry of a Deported alien, in violation of Title 8, United States Code, Section 1326(a). Avilez-Perez faces a maximum penalty of two years imprisonment, as well as a fine of up to \$250,000 and one year of supervised release.

The indictment charges that Avilez-Perez is an illegal alien who had been previously removed from the United States, and thereafter was knowingly and unlawfully found in the United States without having obtained permission to reenter from any government official of the United States.

These two individuals were identified as illegal aliens by the Greater New Orleans Industrial Educational Council (GNOIEC), a non-profit organization that provides basic safety training to prospective employees before employees begin working at petroleum refineries and other critical

infrastructure facilities. The defendants were arrested for being unlawfully found in the United States without proper immigration documents by ICE special agents of the agency's Critical Infrastructure Protection Group.

"This was a targeted law enforcement action based upon extensive information developed over a long period," said Holt. "Protecting the integrity of the petroleum industry in this region is a crucial part of ICE's continuing enforcement strategy. When an individual uses fraudulent documents to get a job, they hide their true identity and history. We need to know exactly who is working on our critical infrastructure programs."

Assistant U.S. Attorney Irfan A. Saeed of the U. S. Attorney's Anti-Terrorism Unit will prosecute the case.

Letten said, "Thanks to the swift action and diligence by the Greater New Orleans Industrial Educational Council, and equally swift follow-up investigation and enforcement action by special agents of ICE, we have once again demonstrated in the Eastern District of Louisiana that we have the will and capability to aggressively protect our industry, and particularly our energy infrastructure. This case is but one example of many that evidence our continued heightened attention to any offenses or offenders who may seek illegal access to our country and our industries. Our office --through cases like this one handled by Assistant U. S. Attorney Irfan Saeed assigned to our Counter-Terrorism Unit-- will continue to do everything possible to maximize our national security."

The U. S. Attorney also noted that a federal grand jury having been arrested last week along with seven other individuals who have already been deported back to Mexico swiftly charged these two individuals who were indicted today.

Letten stresses that a criminal indictment is an allegation of a criminal offense by the federal grand jury, and that charged criminal defendants are presumed innocent until proven guilty based upon proof beyond a reasonable doubt.

ICE

U.S. Immigration and Customs Enforcement is the largest investigative arm of the Department of Homeland Security.